UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,553	08/18/2003	Hsueh Yin Lee		4939

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EXAMINER
MEYERS, MATTHEW S

ART UNIT	PAPER NUMBER
3629	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 November 2007_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-12_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to applicant's communication on 11/30/07, wherein

claims 1-12 are currently pending.

Priority

2.   Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e)

or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted is being considered by the

examiner.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.

      4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

6.   This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7.   Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chase, Jr. (U.S. 5,974,238) in view of Auto/Mate Dealership Systems website (accessed through archive.org with effective publication dates of 12/3/1998 (pg. 1) and 12/6/1998 (pg. 2) (hereinafter referred to as "Automate").

8.   With respect to claims 1 and 12, Automate discloses a system for:

      a.   vehicle orders daily searching sub-module accessible through a CRT terminal by providing listings of vehicle inventory that show the respective status for a vehicle to include "available ... or sold" (Automate pg. 1 lines 1-2, 12 and 17). This is interpreted to disclose a vehicle orders daily searching sub-module. Automate discloses a distributor orders daily information searching sub-module through a CRT terminal by providing listings of vehicle inventory that show the respective status for a vehicle to include "on-order" (Automate pg. 1 lines 1-2, 12

and 17). The status of "on-order" is interpreted to reflect the status of a vehicle as being "on-order" from a distributor.

b.   Automate inherently discloses a database servers used for storing information on vehicles and distributor orders as one must exist to store the information regarding vehicle inventory and "on-order" vehicles, information that is accessible through CRT terminals (Automate page 1 lines 1 -2).

c.   Automate discloses a database server used for storing information on clients, vehicle and distributor orders by way of the disclosure of the ability of a service advisor to instantly display customer information on a terminal (Automate page 2 lines 2 - 5) and providing up-to-date vehicle inventory listings showing status as available, on-order, or sold (Automate page 1 lines 14- 16).

d.   Chase teaches a system for Automatic Data Synchronization Between a Handheld and a Host Computer Using Pseudo Cache Including Tags and Logical Data Elements:

e.   a mobile computing device wherein an application server comprises a cache manager and a replication manager; interpreted to be the disclosure of the host computer (i.e. application server and database server) containing a data synchronization manager and the utilization by the host computer of the symmetric multiprocessor system model (SMP) to handle cache (Chase col. 3 lines 31 - 37 and col. 12 lines 15 - 23 and 34 - 37);

f.   the cache manager is used to receive and store information sent by the mobile terminals and the database server, interpreted to be the mimicking of the

SMP behavior which utilizes caches to achieve data coherency (Chase col. 12

lines 20 -29 and 34 - 37);

g.   the replication manager comprises a first data filter module, which is used

to filter information added in the database server, and to modify existing

information added in the database server, and to modify existing information in

the database server and the mobile terminals (Chase col. 3 lines 34 - 45); and

h.   the database server is used for storing information on clients, vehicles and

distributor orders; interpreted to be the disclosure that the handheld computer is

capable of file and data storage, and further capable of storing a program and

related data for a phone number or contact directory program (Chase col. 9 lines

34 - 36 and 22 - 26)

i.   However, Chase does not teach that his data synchronization is used in a

vehicle dealership setting where the mobile terminals comprise an information

searching module, the information searching module further comprising a vehicle

orders daily searching sub-module and distributor orders daily searching sub-

module for searching Vehicle orders daily information and distributor orders daily

information. Chase also does not teach a database server used for storing

information on vehicles and distributor orders.

j.   It would have been obvious to a person having ordinary skill in the art at

the time the invention was made to combine the mobile terminals and associated

methods of Chase with the vehicle inventory searching and database disclosures

of Automate in order to provide a more efficient system for searching and

generating various vehicle inventory queries. A person having ordinary in the art

at the time the invention was made would have also recognized that it would be

obvious to take the functions of Automate that were performed on a substantially

stationary CRT terminal and make them available on a portable handheld or

mobile terminal, as Chases teaches that as the use of personal computers

increased, so did the desire to use computers remotely to support and increase

the efficiency of a mobile user (Chase col. 1 lines 30 - 31).

k.   Additionally, Chase does not disclose wherein the database server is a

Java database connection. However, at the time of the invention, it would have

been an obvious matter of design choice to a person of ordinary skill in the art to

use Java database connection because applicant has not disclosed that using

Java database connection provides an advantage, is used for a particular

purpose, or solves a stated problem. One of ordinary skill in the art, furthermore,

would have expected applicant's invention to perform equally well a database as

disclosed in Chase and inherently disclosed in Automate.

9.   With respect to claim 2, Chase discloses a system for mobile terminals to

comprise a data storage for storing information downloaded from the application server

and input from the mobile terminals, interpreted to be the disclosure that data is stored

on the handheld computer, the data being a common shared set between the host

computer and the handheld computer (Chase col. 3 lines 27 - 31).

10.   With respect to claim 3, Chases a system for mobile terminals to further comprise

a link switching module for switching states as between the mobile terminal and the

application server and the states of connection comprising a connected and

disconnected state, by way of teaching the incorporation of Infrared Data Association

(IRDA) standard that allows machines to initiate connections, transfer data, and to

cleanly disconnect (Chase col. 6 lines 31 - 38).

11.   With respect to claim 4, Chase discloses a system wherein each of the mobile

terminals further comprise a data synchronization module for downloading information

for synchronization from the application server, and for storing the downloaded

information in the data storage, interpreted to be the teaching of a data synchronization

engine and an apparatus for performing dynamic synchronization between data stored

in a handheld computer and a host computer, each having a shared copy of the

common data set (Chase col. 3 lines 27 - 31).

12.   With respect to claim 5, Chases discloses a system wherein each of the mobile

terminals further comprises a second data filter module for filtering modification of data

Stored in the data storage, said modification performed when the mobile terminal is in

the disconnected state, and for sending data thus modified to the data synchronization

module; interpreted to be the user initiated actions of modifying, creating and deieting

data that act as cues in the dynamic synchronization process (Chase col. 15 lines 21 -

24).

13.   With respect to claim 6, Chase discloses a system wherein mobile terminals are

personal digital assistants, laptop computers or smart phones, by disclosing a handheld

computer, a term will recognized in the art to include a personal digital assistant (Chase

col. 3 lines 28 - 30).

14.   With respect to claim 7, Chase discloses a system wherein each of the mobile

terminals comprises an account setting module for setting dial-up accounts for

connections in regions which a user of the mobile terminal routinely visits, interpreted to

be the disclosure of the host and handheld computers synchronization through a wire.

line interface (Chase col. 22 lines 64 - 77 and col. 23 line 1).

15.   With respect to claim 8, Chase discloses a system wherein the application server

further comprises a domain manager for managing domains; interpreted to be the

system where an address can be used to construct a unique identifier that links a data

record entry, such as an appointment, phone number or action item, to a corresponding

data record on the handheld computer (Chase col. 12 lines 51 - 65).

16.   With respect to claim 9, Automate teaches a method of a user to set one or more

search parameters (interpreted to be the query of whether there are any corvettes

available, Pg. 1 lines 5 - 6), sending the search message (interpreted to be the entering.

into the entering of the search parameters into the online inquiry interface, Pg. 1 lines 3

-4), and generating and displaying the search results (interpreted to be the displaying of

listing status, i.e. whether or not a vehicle is available, Pg. 1 lines 5 - 6 and 16).

17.   Chase discloses a method for:

        I.   connecting the mobile terminal with an application server, interpreted to be

        the incorporation of Infrared Data Association (IRDA) standard that allows

        machines to initiate connections, transfer data, and to cleanly disconnect (Chase

        col. 6 lines 31 - 38)

m.   generating a synchronization request according to a detailed demand

input by a user, and sending the synchronization request to the application

server, interpreted to be the user-initiated actions to modify, create or delete data

that serve as cues in the data synchronization process and the subsequent

transactions initiated by the handheld computer to maintain coherency with the

desktop computer (Chase col. 15 lines 20 -28) and then result in data being sent

to the desktop (See e.g. Chase col. 16 lines 59 - 61) obtaining information

needed to meet the synchronization request, interpreted to be the

acknowledgment signal from the desktop computer (Chase col. 16 lines 62 - 63)

n.   Chase does the above limitations but does not explicitly disclose setting

one or more search parameters, generating a search message, sending the

searching message, and generating and displaying the search results.

o.   It would have been obvious to a person having ordinary skill in the art at

the time the invention was made to combine the mobile terminals and associated

methods of Chase with the vehicle inventory searching and database disclosures

of Automate in order to provide a more efficient system for searching and

generating various vehicle inventory queries. A person having ordinary in the art

at the time the invention was made would have also recognized that it would be

obvious to take the functions of Automate that were performed on a substantially

stationary CRT terminal and make them available on a portable handheld or

mobile terminal as Chases teaches that as the use of personal computers

increased, so did the desire to use computers remotely to support and increase

the efficiency of a mobile user (Chase col. 1 lines 30 - 31).

p.   Additionally, Chase does not disclose wherein the database server is a

Java database connection. However, at the time of the invention, it would have

been an obvious matter of design choice to a person of ordinary skill in the art to

use Java database connection because applicant has not disclosed that using

Java database connection provides an advantage, is used for a particular

purpose, or solves a stated problem. One of ordinary skill in the art, furthermore,

would have expected applicant's invention to perform equally well a database as

disclosed in Chase and inherently disclosed in Automate.

18.   With respect to claim 10, Chase does not disclose a method wherein said

information comprises information on any one or more of clients, vehicles and distributor

orders. Automate inherently discloses a database servers used for storing information

on vehicles and distributor orders as one must exist to store the information regarding

vehicle inventory and "on-order" vehicles, information that is accessible through CRT

terminals (Automate page 1 lines 1 -2). Automate discloses a database server used for

storing information on clients by way of the disclosure of the ability of a service advisor

to instantly display customer information on a terminal (Automate page 2 lines 2 - 5) and

providing up-to-date vehicle inventory listings showing status as available, on-order, or

sold (Automate page 1 lines 14 - 16).

19.   With respect to claim 11, Chases discloses a method for querying repots using a

mobile terminals to further comprise the step of cutting off the connection between the

mobile terminal and the application server, by way of teaching the incorporation of

Infrared Data Association (IRDA) standard that allows machines to initiate connections,

transfer data, and to cleanly disconnect (Chase col. 6 lines 31 - 38)

Response to Arguments

20.   Applicant's arguments filed 11/30/07 have been fully considered but they are not

persuasive. Applicant's arguments have been addressed in the above action, but

specifically regarding Automate fails to teach or suggest the feature whereby "the

information searching module comprises a vehicle orders daily searching sub-modulo

and a distributor orders daily searching sub-modulo for searching vehicle orders daily

information and distributor orders daily information respectively", as recited in amended

claim 1, Examiner respectfully disagrees. While features of an apparatus may be recited

either structurally or functionally, claims directed to an apparatus must be distinguished

from the prior art in terms of structure rather than function alone. MPEP 2114.

Conclusion

21.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Clark et al. US 2001/0011308 A1 discloses the synchronization

of a handheld computer with a host computer. Lunsford et al. US 6,901,434 discloses

the synchronization of data between two handheld computers. Hawkins et al. US

6,728,786 discloses a method and apparatus for synchronizing a portable computer

system with a desktop computer system.

22.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Matthew S. Meyers whose telephone number is (571)
272-7943. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
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USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Meyers/
Examiner, Art Unit 3629

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629